



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/774,477	02/10/2004	Hisashi Kato	00862.100189,	8932
5514	7590	10/03/2008		
FITZPATRICK CELLA HARPER & SCINTO			EXAMINER	
30 ROCKEFELLER PLAZA			RODRIGUEZ, LENNIN R	
NEW YORK, NY 10112			ART UNIT	PAPER NUMBER
			2625	
MAIL DATE		DELIVERY MODE		
10/03/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/774,477	Applicant(s) KATO, HISASHI
	Examiner LENNIN R. RODRIGUEZ	Art Unit 2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 15 August 2008.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-3,10,12-14 and 16-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-3,10,12-14 and 16-21 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) Information Disclosure Statement(s) (PTO/SB/06)
 Paper No(s)/Mail Date _____
- 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date _____
- 5) Notice of Informal Patent Application
 6) Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed on 8/15/2008 have been fully considered but they are not persuasive. Applicant's argument regarding "The applied art is not seen to disclose the features of the present invention, and in particular is not seen to disclose or suggest at least the features of (i) generating print data such that a first piece of a first page of print data is printed on a front side of a first medium and subsequently a first piece of a second page of print data is printed on a back side of the first medium, before a second piece of the first page is printed on a second medium, and (ii) printing the first piece of the first page and the first piece of the second page alternately on the front side and the back side of the first medium" has been fully considered, in response "Nishikawa '411 discloses all the subject matter as described above except specifically teaching a generating unit for generating print data such that a first piece of the first page of print data is printed on the front side of a first medium and subsequently a first piece of the second page of print data is printed on the back side of the first medium before a second piece of the first page of print data is printed on a second medium, when both of the poster printing and the double-sided printing are included in the printing attributes,

However, it is obvious for Nishikawa to have a generating unit for generating print data such that a first piece of the first page of print data is printed on the front side of a first medium and a first piece of the second page of print data is printed on the back side of the first medium (column 9, line 6-18, when the double-side printing of poster

images is set, a first piece of the first page will be print in one side and then a first piece of the second page will be print on the other side. As can be seen in Fig. 10 it would not make sense to print a first piece in one side and a second piece on the other side of the medium because it will not for the poster image intended) when both the poster printing and the double-sided printing are included in the printing attributes (column 9, lines 6-8 and Fig. 5 where it would be obvious to select multiple properties for the printing functionality, duplex and poster included),

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to have a generating unit for generating print data such that a first piece of the first page of print data is printed on the front side of a first medium and a first piece of the second page of print data is printed on the back side of the first medium, when both of the poster printing and the double-sided printing are included in the printing attributes as taught by well known prior art in the system of Nishikawa '411. With this the system will be able to print two consecutives images in a single sheet of paper, thus making the system environment friendly and cost effective by saving resources such as paper and it will allow the user to see two complete images in both sides.

Nishikawa '411 discloses all the subject matter as described above except wherein the first piece of the first page and the first piece of the second page are alternately printed on the front side and the back side of the first medium.

However, Tsuzuki '327 teaches wherein the first piece of the first page and the first piece of the second page are alternately printed on the front side and the back side of the first medium (column 14, line 66 to column 15, line 18).

Having a system of Nishikawa '411 and then given the well-established teaching of Tsuzuki '327 reference, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the printing control apparatus of Nishikawa '411 to include wherein the first piece of the first page and the first piece of the second page are alternately printed on the front side and the back side of the first medium as taught by Tsuzuki '327 because it would make easier for the user to pick up the finished duplex document from the printer without the necessity of having to re-feed the printer with the front side printed pages."

2. Double Patenting warning has been withdrawn in view of the submitted amendment.

Continued Examination Under 37 CFR 1.114

3. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/15/2008 has been entered.

Claim Objections

4. Claims 19 and 21 are objected to because of the following informalities:
 - (1) claim 19, line 1, "generating step" should be -- generating **procedure** --;
 - (2) claim 21, line 1, "generating step" should be -- generating **unit** --.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
6. Claims 1-3, 10, 12-14, 17, 19 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nishikawa et al. (US 6,507,411) in view of Tsuzuki (US 6,168,327).

(1) regarding claims 1, and 10-12:

Nishikawa '411 discloses a printing control apparatus (column 1, lines 7-10) comprising:

a setting unit for setting printing attributes including poster printing to divide a page of print data into a predetermined number of pieces to print over a plurality of media (column 1, lines 49-54, where a poster option can be selected and column 9, lines 22-34) and double-sided printing to print a first page of print data on a front side of a medium and a second page of print data on a back side of the medium (column 9, lines 6-8); and

Nishikawa '411 discloses all the subject matter as described above except specifically teaching a generating unit for generating print data such that a first piece of the first page of print data is printed on the front side of a first medium and subsequently a first piece of the second page of print data is printed on the back side of the first medium before a second piece of the first page of print data is printed on a second medium, when both of the poster printing and the double-sided printing are included in the printing attributes,

However, it is obvious for Nishikawa to have a generating unit for generating print data such that a first piece of the first page of print data is printed on the front side of a first medium and a first piece of the second page of print data is printed on the back side of the first medium (column 9, line 6-18, when the double-side printing of poster images is set, a first piece of the first page will be print in one side and then a first piece of the second page will be print on the other side. As can be seen in Fig. 10 it would not make sense to print a first piece in one side and a second piece on the other side of the medium because it will not for the poster image intended) when both the poster printing and the double-sided printing are included in the printing attributes (column 9, lines 6-8 and Fig. 5 where it would be obvious to select multiple properties for the printing functionality, duplex and poster included),

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to have a generating unit for generating print data such that a first piece of the first page of print data is printed on the front side of a first medium and a first piece of the second page of print data is printed on the back side of the first

medium, when both of the poster printing and the double-sided printing are included in the printing attributes as taught by well known prior art in the system of Nishikawa '411. With this the system will be able to print two consecutives images in a single sheet of paper, thus making the system environment friendly and cost effective by saving resources such as paper and it will allow the user to see two complete images in both sides.

Nishikawa '411 discloses all the subject matter as described above except wherein the first piece of the first page and the first piece of the second page are alternately printed on the front side and the back side of the first medium.

However, Tsuzuki '327 teaches wherein the first piece of the first page and the first piece of the second page are alternately printed on the front side and the back side of the first medium (column 14, line 66 to column 15, line 18).

Having a system of Nishikawa '411 and then given the well-established teaching of Tsuzuki '327 reference, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the printing control apparatus of Nishikawa '411 to include wherein the first piece of the first page and the first piece of the second page are alternately printed on the front side and the back side of the first medium as taught by Tsuzuki '327 because it would make easier for the user to pick up the finished duplex document from the printer without the necessity of having to re-feed the printer with the front side printed pages.

A computer program and a computer readable medium storing a computer program could be easily found in Nishikawa '411 column 15, lines 56-59.

(2) regarding claims 2 and 13:

Nishikawa '411 discloses all the subject matter as described above except specifically teaching a designating unit for designating a selection mode for the second page of print data, wherein the first piece of the second page of print data corresponds to the first piece of the first page of print data and is selected in accordance with the selection mode designated by the designating unit.

However, it is obvious for Nishikawa to have a designating unit for designating a selection mode for the second page of print data (column 9, lines 6-8 and Fig. 5 where it would be obvious to select multiple properties for the printing functionality, duplex and poster included, where by selecting the double-sided printing option, the option itself selects a second page of print data as the definition of the term double sided printing itself states), wherein the first piece of the second page of print data corresponds to the first piece of the first page of print data and is selected in accordance with the selection mode designated by the designating unit (column 9, line 6-18, when the double-side printing of poster images is set, a first piece of the first page will be print in one side and then a first piece of the second page will be print on the other side. As can be seen in Fig. 10 it would not make sense to print a first piece in one side and a second piece on the other side of the medium because it will not for the poster image intended).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to have a designating unit for designating a selection mode for the second page of print data, wherein the first piece of the second page of print data corresponds to the first piece of the first page of print data and is selected in

Art Unit: 2625

accordance with the selection mode designated by the designating unit as taught by well known prior art in the system of Nishikawa '411. With this the system will be able to print two consecutive images in a single sheet of paper, thus making the system environment friendly and cost effective by saving resources such as paper and it will allow the user to see two complete images in both sides.

(3) regarding claims 3 and 14:

Nishikawa '411 further discloses wherein the designating unit designates the selecting mode so that output orders for the front and back sides are laterally reverse to each other (column 16, lines 14-21, where the user can specify which way to print the divided images).

(4) regarding claims 16, 18 and 20:

(Official Notice)

Nishikawa '411 discloses all the subject matter as described above except specifically teaching wherein the generating procedure generates the print data such that an upper left piece of the first page of print data is printed on the front side of the first medium, and subsequently an upper right piece of the second page of print data is printed on the back side of the first medium before the second piece of the first page is printed on the second medium (column 9, line 6-18, when the double-side printing of poster images is set, an upper left piece of the first page will be print in one side and then an upper right piece of the second page will be print on the other side. As can be seen in Fig. 10 it would not make sense to print a first piece in one side and a second piece on the other side of the medium because it will not for the poster image intended),

when poster printing to divide a page of print data into four pieces and double sided printing are both included in the printing attributes (Fig. 5, the user has the option to select any attributes to be applied to the print job).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to have a generating unit for generating print data such that a first piece of the first page of print data is printed on the front side of a first medium and a first piece of the second page of print data is printed on the back side of the first medium, when both of the poster printing and the double-sided printing are included in the printing attributes as taught by well known prior art in the system of Nishikawa '411. With this the system will be able to print two consecutives images in a single sheet of paper, thus making the system environment friendly and cost effective by saving resources such as paper and it will allow the user to see two complete images in both sides, otherwise the user will be seeing a complete and well-putted together image in one side and a shift image on the other side.

(4) regarding claims 17, 19 and 21:

Nishikawa '411 discloses all the subject matter as described above except wherein the generating step alternately generates print data of the first piece of the first page and print data of the first piece of the second page.

However, Tsuzuki '327 teaches wherein the generating step alternately generates print data of the first piece of the first page and print data of the first piece of the second page (column 22, 20-53).

Art Unit: 2625

Having a system of Nishikawa '411 and then given the well-established teaching of Tsuzuki '327 reference, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the printing control apparatus of Nishikawa '411 to include wherein the generating step alternately generates print data of the first piece of the first page and print data of the first piece of the second page as taught by Tsuzuki '327 because it would make easier for the user to pick up the finished duplex document from the printer without the necessity of having to re-feed the printer with the front side printed pages.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LENNIN R. RODRIGUEZ whose telephone number is (571)270-1678. The examiner can normally be reached on Monday - Thursday 7:30am - 6:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, King Poon can be reached on (571) 272-7440. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/King Y. Poon/
Supervisory Patent Examiner, Art Unit 2625

/Lennin R Rodriguez/
Examiner, Art Unit 2625